

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

**MAC East, LLC,
an Alabama Limited Liability
Corporation,**

PLAINTIFF

vs.

**SHONEY'S INC.,
a Tennessee corporation,**

DEFENDANT

CASE NO. 2:05-cv-1038-MEF

PLAINTIFF'S WITNESS LIST

Comes now Plaintiff and submits the following list of witnesses who may be called to testify at the trial of the above-styled matter:

1. J. D. McClinton
2. Joan Surles
3. Matthew Coblentz
4. Letitia Henson
5. Donna Power (by deposition)
6. Robert Stetson (by deposition)
7. William D. Curtis
8. Andy Theodorakis
9. Jimmy Tselios

10. Any witness listed by any other party.

/s/ Dennis R. Bailey
Dennis R. Bailey (744845)
Attorney for Plaintiff MAC East, LLC.

Of counsel:

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon the following counsel of record by placing a copy of same in the United States Mail, first class postage prepaid, on this the 20th day of December, 2006.

Mr. James N. Nolan
Mr. Paul O. Woodall, Jr.
Walston, Wells & Birchall, LLP
1819 Fifth Avenue North
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Birmingham, Alabama 35203

/s/ Dennis R. Bailey
Of counsel